

**REMARKS/ARGUMENTS**

**Claims 1-3 and 8-17 have been rejected under 35 USC 102(b) as being anticipated by Carlshamre.** Applicant respectfully traverses this rejection.

Applicant submits that not a single one of the method steps of claim 1 is disclosed by the cited reference. In fact, Carlshamre does not even disclose a method of release planning. Carlshamre discloses a survey of interdependencies of requirements. Understanding and identifying interdependencies of requirements might assist in a small part of modeling the problem, but is not a method itself. In addition to that, and as emphasized in claim 13, requirements interdependencies as studied by Carlshamre, are only a part of the constraints set considered in the method.

More detailed analysis is as follows:

Step A: assigning stakeholder priorities to a set of requirements, where the priorities are assigned by plural stakeholders;

Nowhere does Carlshamre teach this step. The examiner refers to a single two word combination in Carlshamre, namely “requirements priority”, but this does not disclose the method step A. What Carlshamre is saying is that requirements priority is a factor to be considered in release planning, but completely fails to disclose what to do with requirements priority.

Step B: explicitly defining a set of constraints on the requirements;

Nowhere does Carlshamre teach this step. Knowing interdependencies of requirements might help in defining constraints, but Carlshamre does not teach defining a set of constraints on the requirements as part of a method of release planning. All Carlshamre is doing is noting that interdependencies of requirements is a factor in release planning but does not disclose what to do with them.

Step C: using algorithms carried out by a computer, exploring release plan solutions that satisfy the constraints and balance between stakeholder priorities of different stakeholders to generate a set of candidate release plan solutions that have a positive impact on at least one of project time, overall cost and quality;

There is simply nothing in Carlshamre that suggests this step. As indicated above in relation to steps A and B, Carlshamre only sets out a shopping list of factors to be considered and says nothing about what to do with them. Where for example does Carlshamre disclose generating a set of candidate release plan solutions?

Step D: selecting at least one release plan solution from the set of candidate release plan solutions.

As discussed in relation to step C, Carlshamre does not even teach or suggest generating a set of release plan solutions. Consequently, Carlshamre cannot select at least one of set of candidate release plan solutions.

Accordingly, it is submitted that claim 1 is not anticipated by Carlshamre.

Claims 2-3, 8-17 and 19-22 are patentable for like reason.

**Claims 4-6 and 18 have been rejected under 35 USC 103(a) as being unpatentable over Carlshamre in view of Antoniol** Applicant respectfully traverses this rejection. Antoniol adds nothing to Carlshamre. Antoniol is related to heuristic approaches to resource allocation simulation. Although Antoniol discloses genetic algorithms, Antoniol does not disclose use of genetic algorithms (which are themselves known at least since 1975) in the context of release planning. Antoniol also post-dates the Applicant's own work that the examiner cited against the claims in the prior action.

**Claim 7 has been rejected under 35 USC 103(a) as being unpatentable over Carlshamre in view of Antoniol and further in view of Penny.** Applicant respectfully traverses this rejection. Perry adds nothing to the deficiencies of Carlshamre and Antoniol and is completely irrelevant.

Penny discloses: “A management framework for periodically capturing updated estimation data and using it as a basis for initial planning and subsequent re-planning of releases”. (Abstract) In fact, Penny assumes that there already exists a plan (page 2, last paragraph and estimates the effort: “The issue in release planning is to estimate the total effort requirement for all suggested in-plan features”). Penny is thus completely different from what is claimed.

All claims are therefore submitted to be patentable over the cited references.

Reconsideration and withdrawal of the rejections, and allowance of the claims, is respectfully requested.

Respectfully submitted January 14, 2008

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